

AS



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/071,466	02/08/2002	Attilio Rimoldi	005826.P003	9964

8791 7590 11/02/2005

BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD
SEVENTH FLOOR
LOS ANGELES, CA 90025-1030

EXAMINER

THANGAVELU, KANDASAMY

ART UNIT	PAPER NUMBER
----------	--------------

2123

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/071,466	Applicant(s) RIMOLDI ET AL.	
	Examiner Kandasamy Thangavelu	Art Unit 2123	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 11-13, 15-19, 27-29 and 31-34 is/are rejected.
- 7) ☒ Claim(s) 4-10, 14, 20-26 and 30 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 February 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/26/02, 6/30/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-34 of the application have been examined.

Information Disclosure Statement

2. Acknowledgment is made of the information disclosure statements filed on December 26, 2002 and June 30, 2005 together with a list of the papers and a list of patents. The patents and papers have been considered.

Drawings

3. The drawings submitted on February 8, 2002 are objected to. The shading in Figures 3 and 4 make the drawings difficult to read. The applicants are required to send these figures without the grey/dark shadings in reply to this office action.

Specification

4. The disclosure is objected to because of the following informalities:
Page 9, Para 0027, Lines 4-5, "Behavioral parameter define the required engineering functionality of design elements" appears to be incorrect and it

Art Unit: 2123

appears that it should be "Behavioral parameters define the required engineering functionality of design elements".

Page 10, Para 0029, Lines 5-6, "the user creating a hole in the existing body of the object may specifies that the wall thickness of the hole should be the same" appears to be incorrect and it appears that it should be "the user creating a hole in the existing body of the object may specify that the wall thickness of the hole should be the same".

Page 17, Para 0055, Lines 1-2, "Cutouts 412, 314 and 416 were each created using various behavioral parameters" appears to be incorrect and it appears that it should be "Cutouts 412, 414 and 416 were each created using various behavioral parameters".

Appropriate corrections are required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

6. Claims 1-3, 11-13, 15-19, 27-29 and 31-34 are rejected under 35 U.S.C. § 102(e) as being anticipated by **Chartier et al.** (U.S. Patent Application 2002/0183878).

6.1 **Chartier et al.** teaches Collaborative design. Specifically, as per claim 17, **Chartier et al.** teaches an apparatus for merging design intent of multiple designers with respect to a digital model of an object (Abstract, L3-11; Page 1, Para 0003, L5-7), the apparatus comprising:

a data receiver to receive data concerning a change to the digital model over a network, the change to the digital model being performed by a first designer (Abstract, L8-11; Page 2, Para 0015, L11-13; Page 4, Para 0049); and

a data merger to analyze the data concerning the change performed by the first designer and data concerning a digital model version created by a second designer (Abstract, L8-11; Fig. 5; Fig. 4; Page 4, Para 0049), and to integrate the change performed by the first designer into the digital model version created by the second designer (Abstract, L8-11; Fig. 5; Fig. 4; Page 4, Para 0049).

Per Claim 18: **Chartier et al.** teaches that the data concerning the change performed by the first designer includes an identifier of a design feature being modified (Page 1, Para 0008), and a set of parameters associated with the design feature (Page 1, Para 0009, functional aspects are same as the parameters).

Per Claim 19: **Chartier et al.** teaches that the set of parameters includes one or more behavioral parameters of the design feature (Page 1, Para 0009, functional aspects are same as the behavioral parameters).

6.2 As per claim 27, **Chartier et al.** teaches a data supplier to receive a request of the second designer to inform the first designer about a change performed by the second designer with respect to the digital model (Page 2, Para 0017),

to extract data concerning the change performed by the second designer (Page 2, Para 0018), and

to send the extracted data with an identifier of a destination client device to a server over the network, the destination client device being used by the first designer (Page 2, Para 0015, L11-13; Page 2, Para 0018).

Per Claim 28: **Chartier et al.** teaches that the request specifies which design feature was modified (Page 1, Para 0008).

Per Claim 29: **Chartier et al.** teaches that the request asks for all changes to the digital model that occurred between the time of the request and the time of a last transmission of changes to the destination device (Page 2, Para 0017).

Per Claim 31: **Chartier et al.** teaches that each change to the digital model is communicated between the first designer and the second designer as soon as the change

Art Unit: 2123

is performed (Page 1, Para 0005, L1-2; Page 1, Para 0006; Page 2, Para 0019; Page 4, Para 0050).

Per Claim 32: **Chartier et al.** teaches that changes to the digital model are communicated between the first designer and the second designer asynchronously (Page 1, Para 0005).

6.3 As per Claims 1-3, 11-13 and 15-16, these are rejected based on the same reasoning as Claims 17-19, 27-29 and 31-32, supra. Claims 1-3, 11-13 and 15-16 are method claims reciting the same limitations as Claims 17-19, 27-29 and 31-32, as taught throughout by **Chartier et al.**

6.4 As per Claims 33 and 34, these are rejected based on the same reasoning as Claim 17, supra. Claims 33 and 34 are a system and a computer readable medium claims reciting the same limitations as Claim 17, as taught throughout by **Chartier et al.**

Allowable Subject Matter

7. Claims 4-10, 14, 20-26 and 30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Kandasamy Thangavelu whose telephone number is 571-272-3717. The examiner can normally be reached on Monday through Friday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Picard, can be reached on 571-272-3749. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to TC 2100 Group receptionist: 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through

Art Unit: 2123

Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

K. Thangavelu
Art Unit 2123
October 29, 2005


Paul L. Rodriguez 10/3/05
Primary Examiner
Art Unit 2125